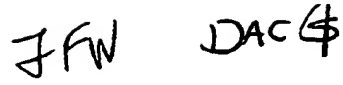


**UNITED STATES PATENT & TRADEMARK OFFICE**  
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1455



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on June 10, 2004

**Our Case No. 10743-6 (BH-6)**

Examiner: Louise N. Leary  
Group Art Unit No.: 1654

01 FC:1455 -200.00 OP

## REMARKS

U.S. Patent Application No. 09/813,279 was allowed on May 4, 2004 with a published term adjustment under 35 U.S.C. § 154(b) of 0 days. Applicants herein apply to the U.S. Patent and Trademark Office for correction of the Patent Term Adjustment calculation pursuant to 37 C.F.R. § 1.705(b). Applicants have enclosed a check for the fee under 37 C.F.R. § 1.18(e) for filing this Application for Correction of Patent Term Adjustment. In the event that additional funds are required for the fee for Application for Correction of Patent Term Adjustment under 37 C.F.R. § 1.18(e), please charge any additional necessary fee to Deposit Account No. 23-1925. Please credit for any excess fee paid to Deposit Account No. 23-1925. A duplicate copy of this Application for Correction of Patent Term Adjustment is attached.

The patent term adjustment for U.S. Patent Application No. 09/813,279 is calculated as discussed below. Dates are specified based on the Patent Application Information Retrieval (PAIR) system Patent Term Adjustment History (attached at **Tab A**).

Note that U.S. Patent Application No. 09/813,279 is not subject to a terminal disclaimer.

### **37 C.F.R. § 1.703 Adjustment for Period of Examination Delay**

Applicants agree with the USPTO calculation of the period of adjustment under 37 C.F.R. § 1.703(a)(1) of 380 days.

### **37 C.F.R. § 1.704 Reduction in Period of Adjustment**

With respect to the grounds for adjustment set forth in 37 C.F.R. § 1.703(a)-(e), an applicant is deemed to have failed to engage in reasonable efforts to conclude processing or examination of an application for the cumulative total of any periods or time in excess of three months that are taken to reply to any notice or action by the Office. Any such three month period is measured from the date the notice or action was mailed to the applicant. The period of adjustment set forth in 37 C.F.R. § 1.703 shall be reduced by the number of